

## **REMARKS**

This Amendment responds to the Office Action dated October 22, 2004. Applicants hereby request reconsideration of the objections/rejections set forth in the Office Action in view of these remarks, and the above claim amendments.

Claims 1-6 were rejected as being obvious over a combination of Shim (US 6,643,528) in view of Colonna (US 6,115,620). These claims are now cancelled, without prejudice, and new claims 7-16 are presented herewith. These new claims include elements and limitations which are missing from the combination of Shim and Colonna, and thus the claims are in condition for allowance.

New claims 7, 11 and 16 are drafted in the independent form. Claim 7 recites a method of processing voice calls and data messages in a dual-mode mobile communication device having a voice interface for receiving and processing voice calls, a data interface for receiving and processing data messages, and a magnet detection system. The claimed method includes the following steps: (i) placing the dual-mode mobile communication device into a holster having a magnet, wherein the magnet detection system detects the presence of the magnet and places the dual-mode mobile communication device into an idle state; (ii) receiving an incoming signal at the dual-mode mobile communication device; (iii) if the incoming signal is a data message, then delaying notification of the received data message until the dual-mode mobile communication device is able to decrypt and/or decompress the data message, and once the data message has been decrypted and/or decompressed, then notifying a user of the received data message; and (iv) if the incoming signal is a voice signal, then determining whether the voice call originated from a user-selected group of phone numbers, and if so, then notifying the user of the received voice call.

Claim 7 includes a combination of steps which are missing from the cited references. Specifically, neither of the references include the combination of step (iii), delaying notification while the device is holstered until the dual-mode device can decrypt and/or decompress the incoming data message; and step (iv), determining if the voice call originated from a user-selected group before notifying the user of the received voice call. These in-the-holster functions are not present in either of the cited references, and thus the claim is distinguishable on this basis.

Claim 11 recites a method of automatically answering a voice call in a mobile communication device having a magnet detection system. The claimed method includes the steps of: (A) placing the mobile communication device into a holster having a magnet, the magnet detection system sensing the magnet and placing the mobile communication device into an idle state; (B) receiving a voice call at the mobile communication device while it is in the holster; (C) notifying a user of the mobile communication device that the voice call has been received; (D) the user removing the mobile communication device from the holster such that the magnet is not longer proximate to the magnet detection system; (E) determining whether the mobile communication device is configured to automatically answer voice calls; (F) if the mobile communication device is configured to automatically answer voice calls, then automatically answering the voice call; and (G) if the mobile communication device is not configured to automatically answer voice calls, then displaying caller information regarding the received voice call and prompting the user to answer the call.

Neither Shim or Colonna discloses all the steps of claim 11. In particular, neither reference discloses steps (E), (F) or (G) of the claim. In step (E), the method calls for a determination as to whether the mobile communication device is configured to automatically

answer voice calls when the mobile device is removed from the holster and is thus no longer proximate to the magnet detection system. If the device is so configured, then in step (F), the call is automatically answered. If the device is not configured to auto answer upon removal from the holster, then in step (G) the mobile device displays caller-id information regarding the call, and the user is prompted to answer the call. This combination of steps is not disclosed in the cited references. In fact, the basic step (F) of automatically answering the voice call upon removal from the holster is not disclosed in Shim or Colonna, nor are the more complex steps of determining whether the device is configured for auto-answer, and then taking an alternative step (G) if the device is not so configured. Claim 11 is thus distinguishable from the cited references.

Finally, claim 16 recites a method of processing data messages which is distinguishable from the cited references for many of the same reasons as claim 7. Moreover, claim 16 recites the steps of automatically opening and displaying the decrypted and/or decompressed data message upon removal from the holster. This step, as well as the prior steps of delaying notification of the received data message until the message is decrypted and/or decompressed, are not disclosed in the cited references and thus the claim is in condition for allowance.

It is believed that the claims, as now presented, are in condition for allowance.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "David Cochran", written over a horizontal line.

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